

morals and standing of the profession of nursing. Thereupon the person against whom such complaint is filed shall be cited in writing to appear before said court on a date named in such citation, not less than ninety days from the issuance of said notice, to which citation there shall be attached a certified copy of the complaint so filed. If such court shall decree a revocation of the certificate of such nurse, he or she shall have the right to appeal to the District Court of such county. Such certificate shall upon such appeal remain in full force and effect until the same shall be disposed of by such District Court, the decision of which shall be final. Upon the revocation of any certificate as herein provided, the secretary of said Board shall strike the name of the holder of such certificate from the roll of registered nurses kept by such Board.

Sec. 8. This Act shall not be construed to apply to the gratuitous nursing of the sick by friends, nor to any person nursing the sick for hire who does not in any way assume or profess to practice as a graduate certified registered tuberculosis nurse.

Sec. 9. The provisions of this Act shall be severable, and it is hereby declared to be the intention of the Legislature that partial invalidity hereof shall not affect the validity of the remaining portions of this Act.

Sec. 10. The fact that there is no definite law regulating tuberculosis nursing in this State creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate, February 24, 1950: Yeas 29, Nays 0; passed the House, February 28, 1950: Yeas 105, Nays 6.

Approved March 13, 1950.

Effective March 13, 1950.

## STATE HOSPITALS, SPECIAL SCHOOLS, ETC.—APPROPRIATIONS

### CHAPTER 14

#### H. B. No. 1

An Act amending House Bill No. 321, Acts of the Regular Session, Fifty-first Legislature, 1949; making an appropriation for the support, maintenance, and improvement of the State Hospitals, Special Schools, and other institutions and the construction of certain buildings, included in said House Bill No. 321 for the fiscal year beginning September 1, 1950 and ending August 31, 1951; prescribing certain regulations and restrictions in respect to the expenditure of the appropriations; providing a saving clause; and declaring an emergency.

*Be it enacted by the Legislature of the State of Texas:*

Section 1. Amend House Bill No. 321, Acts of the Regular Session, Fifty-first Legislature, 1949, by making an appropriation out of the State Hospital Fund in the State Treasury, for the support, maintenance, and improvement of the several State Hospitals, Special Schools, and other institutions, including construction, included in said House Bill No. 321, for the fiscal year beginning September 1, 1950 and ending August 31, 1951, to read as follows:

## AUSTIN STATE HOSPITAL, AUSTIN

For the  
Year Ending  
August 31,  
1951

Salaries	
1. Superintendent .....	\$ 6,600.00
2. Business Manager .....	5,640.00
3. Salaries .....	787,760.00
<hr/>	
Total Salaries .....	\$ 800,000.00
4. Support, Maintenance, Traveling Expenses, and Bond Premiums .....	\$ 900,000.00
5. General Repairs and Improvements and Equipment ...	\$ 200,000.00
<hr/>	
GRAND TOTAL—AUSTIN STATE HOSPITAL ..	<u>\$ 1,900,000.00</u>

## BIG SPRING STATE HOSPITAL, BIG SPRING

Salaries	
1. Superintendent .....	\$ 6,600.00
2. Business Manager .....	5,640.00
3. Salaries .....	237,760.00
<hr/>	
Total Salaries .....	\$ 250,000.00
4. Support, Maintenance, Traveling Expenses and Bond Premiums .....	\$ 225,000.00
5. General Repairs and Improvements and Equipment ..	25,000.00
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GRAND TOTAL—BIG SPRING STATE HOS- PITAL .....	<u>\$ 500,000.00</u>

## RUSK STATE HOSPITAL, RUSK

Salaries	
1. Superintendent .....	\$ 6,600.00
2. Business Manager .....	5,640.00
3. Salaries .....	687,760.00
<hr/>	
Total Salaries .....	\$ 700,000.00
4. Support, Maintenance, Traveling Expenses, and Bond Premiums .....	\$ 750,000.00
5. General Repairs and Improvements and Equipment ..	100,000.00
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GRAND TOTAL—RUSK STATE HOSPITAL ....	<u>\$ 1,550,000.00</u>

## SAN ANTONIO STATE HOSPITAL, SAN ANTONIO

Salaries	
1. Superintendent .....	\$ 6,600.00
2. Business Manager .....	5,640.00
3. Salaries .....	787,760.00
<hr/>	
Total Salaries .....	\$ 800,000.00

## STATE HOSPITALS—APPROPRIATIONS

Ch. 14

For the  
Year Ending  
August 31,  
1951

4. Support, Maintenance, Traveling Expenses, and Bond Premiums .....	\$ 900,000.00
5. General Repairs and Improvements and Equipment ..	200,000.00
<hr/>	
GRAND TOTAL—SAN ANTONIO STATE HOSPITAL .....	<u>\$ 1,900,000.00</u>

## TERRELL STATE HOSPITAL, TERRELL

Salaries	
1. Superintendent .....	\$ 6,600.00
2. Business Manager .....	5,640.00
3. Salaries .....	737,760.00
<hr/>	
Total Salaries .....	\$ 750,000.00
4. Support, Maintenance, Traveling Expenses, and Bond Premiums .....	\$ 800,000.00
5. General Repairs and Improvements and Equipment ..	100,000.00
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GRAND TOTAL—TERRELL STATE HOSPITAL .....	<u>\$ 1,650,000.00</u>

## WICHITA FALLS STATE HOSPITAL, WICHITA FALLS

Salaries	
1. Superintendent .....	\$ 6,600.00
2. Business Manager .....	5,640.00
3. Salaries .....	837,760.00
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Total Salaries .....	\$ 850,000.00
4. Support, Maintenance, Traveling Expenses, and Bond Premiums .....	\$ 950,000.00
5. General Repairs and Improvements and Equipment ..	100,000.00
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GRAND TOTAL—WICHITA FALLS STATE HOSPITAL .....	<u>\$ 1,900,000.00</u>

## ABILENE STATE HOSPITAL, ABILENE

Salaries	
1. Superintendent .....	\$ 6,600.00
2. Business Manager .....	5,640.00
3. Salaries .....	437,760.00
<hr/>	
Total Salaries .....	\$ 450,000.00
4. Support, Maintenance, Traveling Expenses, and Bond Premiums .....	\$ 475,000.00
5. General Repairs and Improvements and Equipment ..	150,000.00
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GRAND TOTAL—ABILENE STATE HOSPITAL .....	<u>\$ 1,075,000.00</u>

## AUSTIN STATE SCHOOL, AUSTIN

For the  
Year Ending  
August 31,  
1951

Salaries	
1. Superintendent .....	\$ 6,600.00
2. Business Manager .....	5,640.00
3. Salaries .....	687,760.00
Total Salaries .....	\$ 700,000.00
4. Support, Maintenance, Traveling Expenses, and Bond Premiums .....	\$ 675,000.00
5. General Repairs and Improvements and Equipment ..	100,000.00
GRAND TOTAL—AUSTIN STATE SCHOOL ....	<u>\$ 1,475,000.00</u>

## AUSTIN STATE SCHOOL FARM COLONY, AUSTIN

Salaries	
1. Superintendent .....	\$ 5,004.00
2. Business Manager .....	3,600.00
3. Salaries .....	131,396.00
Total Salaries .....	\$ 140,000.00
4. Support, Maintenance, Traveling Expenses, and Bond Premiums .....	\$ 135,000.00
5. General Repairs and Improvements and Equipment ..	50,000.00
GRAND TOTAL—AUSTIN STATE SCHOOL FARM COLONY .....	<u>\$ 325,000.00</u>

## MEXIA STATE SCHOOL AND HOME, MEXIA

Salaries	
1. Superintendent .....	\$ 6,600.00
2. Business Manager .....	5,640.00
3. Salaries .....	337,760.00
Total Salaries .....	\$ 350,000.00
4. Support, Maintenance, Traveling Expenses, and Bond Premiums .....	\$ 400,000.00
5. General Repairs and Improvements and Equipment ..	50,000.00
GRAND TOTAL—MEXIA STATE SCHOOL AND HOME .....	<u>\$ 800,000.00</u>

## TEXAS CONFEDERATE HOME FOR MEN, AUSTIN

Salaries	
1. Superintendent .....	\$ 5,004.00
2. Business Manager .....	3,600.00
3. Salaries .....	216,396.00
Total Salaries .....	\$ 225,000.00

## STATE HOSPITALS—APPROPRIATIONS

Ch. 14

For the  
Year Ending  
August 31,  
1951

4. Support, Maintenance, Traveling Expenses, and Bond Premiums .....	\$ 250,000.00
5. General Repairs and Improvements and Equipment ..	50,000.00
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GRAND TOTAL—TEXAS CONFEDERATE HOME FOR MEN .....	\$ 525,000.00
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## STATE TUBERCULOSIS SANATORIUM, SANATORIUM

Salaries	
1. Superintendent .....	\$ 6,600.00
2. Business Manager .....	5,640.00
3. Salaries .....	462,760.00
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Total Salaries .....	\$ 475,000.00
4. Support, Maintenance, Traveling Expenses, and Bond Premiums .....	\$ 500,000.00
5. General Repairs and Improvements and Equipment ..	75,000.00
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GRAND TOTAL—STATE TUBERCULOSIS SAN- ATORIUM .....	\$ 1,050,000.00
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## EAST TEXAS TUBERCULOSIS SANATORIUM, TYLER

Salaries	
1. Superintendent .....	\$ 6,600.00
2. Business Manager .....	5,640.00
3. Salaries .....	337,760.00
<hr/>	
Total Salaries .....	\$ 350,000.00
4. Support, Maintenance, Traveling Expenses, and Bond Premiums .....	\$ 400,000.00
5. General Repairs and Improvements and Equipment ..	50,000.00
<hr/>	
GRAND TOTAL—EAST TEXAS TUBERCULOSIS SANATORIUM .....	\$ 800,000.00
<hr/>	

WEAVER H. BAKER MEMORIAL TUBERCULOSIS  
SANATORIUM, MISSION

Salaries	
1. Superintendent .....	\$ 6,600.00
2. Business Manager .....	5,640.00
3. Salaries .....	537,760.00
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Total Salaries .....	\$ 550,000.00
4. Support, Maintenance, Traveling Expenses, and Bond Premiums .....	\$ 600,000.00
5. General Repairs and Improvements and Equipment ..	50,000.00
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GRAND TOTAL—WEAVER H. BAKER MEMO- RIAL TUBERCULOSIS SANATORIUM .....	\$ 1,200,000.00
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## STATE ORPHANS' HOME, CORSICANA

For the  
Year Ending  
August 31,  
1951

Salaries	
1. Superintendent .....	\$ 5,004.00
2. Business Manager .....	3,600.00
3. Salaries .....	181,396.00
Total Salaries .....	\$ 190,000.00
4. Support, Maintenance, Traveling Expenses, Bond Premiums, Eye, Ear, Nose, and Throat Treatment .....	\$ 200,000.00
5. General Repairs and Improvements and Equipment ..	75,000.00
GRAND TOTAL—STATE ORPHANS' HOME .....	\$ 465,000.00

## WACO STATE HOME, WACO

Salaries	
1. Superintendent .....	\$ 5,004.00
2. Business Manager .....	3,600.00
3. Salaries .....	126,396.00
Total Salaries .....	\$ 135,000.00
4. Support, Maintenance, Traveling Expenses, and Bond Premiums .....	\$ 150,000.00
5. General Repairs and Improvements and Equipment ..	15,000.00
GRAND TOTAL—WACO STATE HOME .....	\$ 300,000.00

## TEXAS BLIND, DEAF, AND ORPHAN SCHOOL, AUSTIN

Salaries	
1. Superintendent .....	\$ 5,004.00
2. Business Manager .....	3,600.00
3. Salaries .....	141,396.00
Total Salaries .....	\$ 150,000.00
4. Support, Maintenance, Bond Premiums, Transportation of Indigent Pupils, and Traveling Expenses ...	\$ 75,000.00
5. General Repairs and Improvements and Equipment ..	50,000.00
GRAND TOTAL—TEXAS BLIND, DEAF, AND ORPHAN SCHOOL .....	\$ 275,000.00

## TEXAS SCHOOL FOR THE BLIND, AUSTIN

Salaries	
1. Superintendent .....	\$ 5,004.00
2. Business Manager .....	3,600.00
3. Salaries .....	166,396.00
Total Salaries .....	\$ 175,000.00

## STATE HOSPITALS—APPROPRIATIONS

Ch. 14

For the  
Year Ending  
August 31,  
1951

4. Support, Maintenance, Traveling Expenses and Bond Premiums .....	\$ 75,000.00
5. General Repairs and Improvements and Equipment ..	25,000.00
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GRAND TOTAL—TEXAS SCHOOL FOR THE BLIND .....	\$ 275,000.00
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## TEXAS SCHOOL FOR THE DEAF, AUSTIN

Salaries	
1. Superintendent .....	\$ 5,004.00
2. Business Manager .....	3,600.00
3. Salaries .....	366,396.00
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Total Salaries .....	\$ 375,000.00
4. Support, Maintenance, Traveling Expenses, Bond Premiums, and Scholarships to Gallaudet College .....	\$ 175,000.00
5. General Repairs and Improvements and Equipment ..	75,000.00
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GRAND TOTAL—TEXAS SCHOOL FOR THE DEAF .....	\$ 625,000.00
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## ALABAMA—COUSHATTI INDIAN AGENCY, LIVINGSTON

Salaries	
1. Superintendent .....	\$ 4,120.00
2. Salaries .....	13,380.00
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Total Salaries .....	\$ 17,500.00
3. Support, Maintenance, Traveling Expenses, Bond Premiums, and Mortuary Expense .....	\$ 12,000.00
4. General Repairs and Improvements and Equipment ..	5,000.00
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GRAND TOTAL—ALABAMA—COUSHATTI INDIAN AGENCY .....	\$ 34,500.00
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## CONFEDERATE WOMAN'S HOME, AUSTIN

Salaries	
1. Superintendent .....	\$ 4,008.00
2. Business Manager .....	2,280.00
3. Salaries .....	39,960.00
<hr/>	
Total Salaries .....	\$ 46,248.00
4. Support and Maintenance, Bond Premiums, Eye, Ear, Nose and Throat Treatment, Glasses on Prescription, Grave Markers, and Traveling Expenses .....	\$ 39,752.00
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GRAND TOTAL—CONFEDERATE WOMAN'S HOME .....	\$ 86,000.00
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## SCHOOL FOR CEREBRAL PALSID

For the  
Year Ending  
August 31,  
1951

1. Salaries, Support and Maintenance, General Repairs and Improvements and Equipment, Construction of Buildings including Acquisition of Necessary Real Estate and Other Necessary Expenses .....	\$ 500,000.00
GRAND TOTAL—SCHOOL FOR CEREBRAL PALSID .....	<u>\$ 500,000.00</u>

## PLACEMENT DIVISION

## BOARD FOR TEXAS STATE HOSPITALS AND SPECIAL SCHOOLS

Salaries	
1. Sociological Director .....	\$ 4,200.00
2. Assistant Director .....	3,900.00
3. Secretary .....	2,400.00
Total Salaries .....	<u>\$ 10,500.00</u>
4. Travel .....	\$ 2,000.00
GRAND TOTAL—PLACEMENT DIVISION ....	<u>\$ 12,500.00</u>

## THORACIC SURGERY TEAMS

1. Salaries, Traveling Expenses, and Necessary Supplies for Thoracic Surgeons to be employed by the Board for Texas State Hospitals and Special Schools to visit State Tuberculosis Sanatorium .....	\$ 36,000.00
GRAND TOTAL—THORACIC SURGERY TEAMS	<u>\$ 36,000.00</u>

RECAPITULATION OF INSTITUTIONS GOVERNED BY  
BOARD FOR STATE HOSPITALS AND SPECIAL  
SCHOOLS BUDGET

1. Austin State Hospital .....	\$ 1,900,000.00
2. Big Spring State Hospital .....	500,000.00
3. Rusk State Hospital .....	1,550,000.00
4. San Antonio State Hospital .....	1,900,000.00
5. Terrell State Hospital .....	1,650,000.00
6. Wichita Falls State Hospital .....	1,900,000.00
7. Abilene State Hospital .....	1,075,000.00
8. Austin State School .....	1,475,000.00
9. Austin State School Farm Colony .....	325,000.00
10. Mexia State School and Home .....	800,000.00
11. Texas Confederate Home for Men .....	525,000.00
12. State Tuberculosis Sanatorium .....	1,050,000.00
13. East Texas Tuberculosis Sanatorium .....	800,000.00
14. Weaver H. Baker Memorial Tuberculosis Sanatorium	1,200,000.00
15. State Orphans' Home .....	465,000.00
16. Waco State Home .....	300,000.00
17. Texas Blind, Deaf, and Orphan School .....	275,000.00



## STATE HOSPITALS—APPROPRIATIONS

Ch. 14

	For the Year Ending August 31, 1951
18. Texas School for the Blind .....	275,000.00
19. Texas School for the Deaf .....	625,000.00
20. Alabama-Coushatti Indian Agency .....	34,500.00
21. Confederate Woman's Home .....	86,000.00
22. School for Cerebral Palsied .....	500,000.00
23. Placement Division .....	12,500.00
24. Thoracic Surgery Teams .....	36,000.00

GRAND TOTAL—STATE HOSPITALS AND  
SPECIAL SCHOOLS ..... \$19,259,000.00

## STATE SCHOOL DELINQUENT COLORED GIRLS

Salaries	
1. Superintendent .....	\$ 4,000.00
2. Storekeeper-Accountant .....	3,000.00
3. Salaries .....	65,580.00
Total Salaries .....	\$ 72,580.00
4. Support, Maintenance, Bond Premiums, Medical and Surgical Operations, Traveling Expenses, Discharge and Transportation .....	\$ 72,000.00
5. General Repairs and Improvements .....	8,000.00

GRAND TOTAL—STATE SCHOOL DELIN-  
QUENT COLORED GIRLS ..... \$ 152,580.00

GAINESVILLE STATE SCHOOL FOR GIRLS  
GAINESVILLE, TEXAS

Salaries	
1. Superintendent .....	\$ 5,004.00
2. Storekeeper-Accountant .....	3,000.00
3. Salaries .....	98,340.00
Total Salaries .....	\$ 106,344.00
4. Support, Maintenance, Bond Premiums, Medical and Surgical Operations, Traveling Expenses, Discharge and Transportation .....	\$ 80,000.00
5. General Repairs and Improvements .....	\$ 25,500.00
6. Laundry Equipment and Machinery for Refrigeration Building .....	33,000.00
7. Construct Hospital and Equipment .....	140,000.00
8. Enlarge Warehouse .....	12,000.00

GRAND TOTAL—GAINESVILLE STATE  
SCHOOL FOR GIRLS ..... \$ 396,844.00

**GATESVILLE STATE SCHOOL FOR BOYS  
GATESVILLE, TEXAS**

For the  
Year Ending  
August 31,  
1951

<b>Salaries</b>	
1. Superintendent .....	\$ 5,004.00
2. Storekeeper-Accountant .....	3,000.00
3. Salaries .....	230,700.00
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Total Salaries .....	\$ 238,704.00
4. Support, Maintenance, Bond Premiums, Medical and Surgical Operations, Traveling Expenses, Discharge and Transportation .....	\$ 200,000.00
5. General Repairs and Improvements .....	40,000.00
6. Construct Gymnasium and Recreation Building and Equipment .....	100,000.00
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GRAND TOTAL—GATESVILLE STATE SCHOOL FOR BOYS .....	\$ 578,704.00
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**RECAPITULATION OF INSTITUTIONS  
GOVERNED BY YOUTH DEVELOPMENT COUNCIL**

1. State School Delinquent Colored Girls .....	\$ 152,580.00
2. Gainesville State School for Girls .....	396,844.00
3. Gatesville State School for Boys .....	578,704.00
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GRAND TOTAL—YOUTH DEVELOPMENT  
COUNCIL ..... \$ 1,128,128.00

GRAND TOTAL—STATE HOSPITALS AND  
SPECIAL SCHOOLS ..... \$19,259,000.00  
GRAND TOTAL—YOUTH DEVELOPMENT  
COUNCIL ..... 1,128,128.00

GRAND TOTAL ..... \$20,387,128.00

**GENERAL PROVISIONS**

Sec. 2. Board and/or Council to Supervise: The supervision of and responsibility for the proper administration of the several schools, hospitals and other institutions enumerated herein is vested in the Board for Texas State Hospitals and Special Schools (hereinafter referred to as the Board) and the Executive Director of said Board and the State Youth Development Council (hereinafter referred as Council) and the Board and/or Council shall have full authority to promulgate rules and regulations not inconsistent with existing statutes to govern the operation of said schools, hospitals and other institutions.

Sec. 3. Annual Reports: (a) A report shall be made annually by the Superintendent or head of each institution and filed with the Board and/or Council before November first after the close of each fiscal year, giving an itemized statement of all moneys expended and the particular appropriation or fund from which said money was expended, a statement showing the full amount of money received from all sources and any

balances remaining, and such other information as the Board and/or Council may require.

(b) The head of each institution shall keep a record of the absences of the various employees, the reasons therefor, whether from sickness, vacation or leave of absence, and incorporate this information in the institution's annual report made to the Board and/or Council.

Sec. 4. Printing and Stationery: All printing and stationery shall be purchased through the Board of Control and shall be confined to such articles and qualities as selected and contracted for by said Board of Control except certain printing provided by law to be done by several of the State institutions. No embossed or engraved printing and stationery shall be purchased.

Sec. 5. Postage Stamps: None of the money appropriated herein for postage stamps shall be spent except on warrants or checks made payable to a United States Post Office and the warrant or check shall be endorsed by the Postmaster from whom the purchase is made. If the expenditures for postage stamps at any institution exceed Five Hundred Dollars (\$500) for any one (1) year, the institution shall install a postage meter machine.

Sec. 6. The Board is hereby authorized to provide transportation to and from employment, for employees where such transportation is not available in the locality of the institutions governed by the Board for Texas State Hospitals and Special Schools.

Sec. 7. Vacation Allowances: Vacation allowances shall be set by the Board and/or Council for officers and employees who serve on a twelve (12) months basis. These employees shall, without deduction in salary, receive not exceeding one (1) working day's vacation for each month of service, such vacation period to be mutually agreed upon by the head of each institution with his employees; and any unused vacation time in any one (1) State fiscal year may be used only during the following fiscal year.

Sec. 8. Traveling Expenses: (a) Reimbursement for expenses incurred during travel on State business shall be made under rules and regulations promulgated by the Board and/or Council; provided, however, that in no case shall allowances for mileage on personal cars and per diem allowances exceed the maximums allowed in the Departmental Appropriation Bill; and further provided, that reimbursement shall not be allowed for items not customarily allowed by the Comptroller of Public Accounts.

(b) All railroad and other transportation shall be paid in cash and properly listed in expense accounts rendered. Tax exemption certificates for transportation shall be used in all cases where the State is exempt from the payment of government tax under Federal provisions, and such State official or employee shall be required to obtain such tax exemption certificates from transportation company before incurring the expense and shall not be entitled to a refund of same on his expense account. No moneys herein appropriated shall be spent for the purchase of a passenger car having a wheelbase in excess of one hundred seventeen (117) inches; provided, however, that if passenger cars of longer wheelbase are offered at lower prices, the Board of Control may purchase same.

(c) It is hereby declared unlawful for any person authorized to use a State-owned automobile in connection with any business of the State to use such automobile in connection with any campaign in which such institution is directly interested, or in behalf of the campaign for re-election of any head of any department, and/or in any other manner, time or place than when such automobile is being used in the interest of and for the purpose of carrying out State business. Any person violating

this Section, shall upon final conviction, be subject to a fine of not less than Fifty Dollars (\$50) nor more than Two Hundred Dollars (\$200). In the event such use of such automobile is being made with the knowledge of the head of any institution having charge of such automobile, then such head of such institution shall also be liable to punishment in a fine of not more than Two Hundred Dollars (\$200). Any court of competent jurisdiction in the county where this law is violated shall have jurisdiction to try such case.

Sec. 9. Additional Employees Compensation: When a necessity exists for additional help at any of the institutions the Board and/or Council shall first give to the Superintendent its written approval and consent for such employment, and such help may be paid out of any institutional local funds, or out of any other non-salary appropriations. When any additional employees, other than those for which specific salary appropriations have herein been made are employed, and are to be paid out of said non-salary appropriations or any other funds, such employees shall not be paid or granted larger salaries and emoluments than those provided in the specifically appropriated salaries or emoluments for similar positions within such institutions; and in the event there are no similar positions within such institution, then such additional employees shall not be paid larger salaries and emoluments than those provided for similar positions in other State institutions, departments or agencies. In the event laborers, skilled laborers and mechanics cannot be obtained at the above-mentioned salary scale, then the heads of such institutions may pay for temporary employment only not exceeding the prevailing wage scale paid in the localities where the temporary service is to be rendered. No additional employees may be hired without the written consent of the Board and/or Council.

Sec. 10. Audits: None of the appropriations herein made shall be used for employing any firm, corporation or person, excepting persons regularly and continuously employed by the institution or the Board and/or Council, to audit said institutions; provided, however, that if in the judgment of the head or managing officers of any of said institutions additional auditing is necessary, and the State Auditor shall not have sufficient funds in his appropriation to make such audits, then the head or managing officers of any of said institutions may direct the State Comptroller to transfer in lump sum and add to the appropriation made for the State Auditor the amount necessary for the State Auditor to make such audits.

Sec. 11. Perquisites of Employees: (a) Under written direction of the Board and/or Council, institutional employees may receive such perquisites as the Board and/or Council may by rule, and regulation prescribe; provided, however, that prior to granting or allowing such perquisites or emoluments to any medical or supervisory personnel, which will require new or additional remodeling or construction, approval must be obtained in writing from the Legislative Budget Committee. A copy of such approval, when obtained, shall be filed with the Comptroller of Public Accounts and no expenditure of any funds herein appropriated or any local funds shall be made without such prior approval.

(b) To prevent inequalities in salaries to those employees not receiving any or all of such perquisites it is provided that the Superintendent, upon the written approval of the Board and/or Council may adjust employees' salaries out of non-salary appropriations by an amount not exceeding Fifty Dollars (\$50) per month each. It is specifically required however that no employee receiving an additional allowance as provided in this subsection may receive any perquisites at any institution unless he reimburses said institution for such perquisites at rates pre-

scribed by the rules and regulations of the Board and/or Council. It is further specifically required that the Superintendent with the approval of the Board and/or Council shall specify those employees who shall receive full perquisites and those who shall receive the additional salary allowance.

Sec. 12. Salaries: (a) All annual salaries shall be paid in twelve (12) equal monthly installments except as otherwise provided by the Board and/or Council.

(b) The number of employees at each institution, and salary of each, shall be fixed by the Board and/or Council. No position shall be supplemented or be paid more than a specific amount as set by the Board and/or Council out of any other funds belonging to said institution or the State; provided that this language shall not be construed to prevent promotion or the transfer of one employee from his position to another position which provides a different salary, but it is specifically made the duty of the Superintendent to transfer employees to other positions when it is possible to secure more efficiency. No salary shall be paid to any person unless such person actually discharges assigned duties. Provided that any vocational instruction position at the institutions conducting schools may be partly paid or supplemented in amounts approved in writing by the Board and/or Council out of Federal or State appropriations or allocations made through educational agencies. It is further provided that employees who are required by law to render services to wards of the State may charge for services rendered to others and retain such portion of said charges as may be allowed by rules and regulations of the Board and/or Council.

(c) A person qualified to fill the position of "Psychiatrist" shall be a skilled physician authorized to practice medicine in Texas, and shall have not less than three (3) years experience in the treatment of mental diseases.

(d) The Board and/or Council is hereby authorized to employ, on a part-time basis from local funds, outstanding and recognized authorities in the fields of medicine, administration, therapy, psychiatry, nursing, and education. The Board and/or Council is also authorized to employ under the same conditions, authorities in particular fields of abnormal education. Should the Board and/or Council find it feasible to employ a person to serve two or more schools, the salary may be paid from the funds appropriated to each institution on a pro-rata basis.

(e) The Board and/or Council is hereby authorized to require employees to work six (6) eight (8) hour days each seven (7) day period or the equivalent thereof, except in instances of emergencies or other conditions requiring exceptions to this policy, for the efficient management of the institutions.

Sec. 13. Leaves for Course of Study: The Board and/or Council may allow physicians, registered nurses, and other professional employees a reasonable time without loss of salary to attend recognized schools and clinics conducted by approved schools and associations.

Sec. 14. Revolving Fund and Institutional Receipts: (a) Each of said institutions is hereby allowed a revolving or petty cash expense fund for the purpose of making emergency payments, purchasing perishable products, operating small stores, or other necessary activities. The amounts of such funds shall be fixed by rules and regulations of the Board and/or Council.

(b) Surplus personal property belonging to any of the institutions may be sold or disposed of with the consent of the Board and/or Council and in the manner now provided by law; and all income from such sales and any other sources shall become and is hereby appropriated as a

maintenance or contingent fund to be expended under the direction and upon the approval of the Board and/or Council for any necessary purpose. A complete statement of all expenditures from such local funds shall be made in the annual reports of said institutions. Any balances remaining to the credit of any of said local funds at said institutions or in the State Treasury at the end of the fiscal year are hereby re-appropriated for the above-mentioned purposes for each year of the biennium.

(c) Upon the approval of the Board, any institution may make properly due refunds out of local funds of any advance payments made on behalf of pay-patients. Refunds to patients for unused advance payments may also be made out of revolving petty cash funds if directed by the Board. There is hereby appropriated to the Board and/or Council out of any institutional local funds such amounts as may be necessary for traveling and other expenses of the Board and/or Council. Provided, however, and if any salaries are paid under this section, the amounts paid shall not exceed the remuneration fixed for similar services in other State institutions.

(d) The various institutions named herein, including the Austin State Hospital Creamery, and the State Dairy and Hog Farm, are hereby authorized to sell to other institutions any farm, garden or dairy products at prices set by the Board and/or Council. Receipts from such sales shall be deposited to the credit of the selling institution's local fund. Any funds transferred from one institution to another by virtue of the provisions of Article 666, Revised Civil Statutes of 1925, are hereby appropriated to the support and maintenance appropriation of the institution to which the Comptroller credits the funds.

Sec. 15. United States Aid: (a) The Board and/or Council, within its discretion, may take advantage of and accept any aid extended by the Federal Government for buildings, improvements and repairs at the institutions; provided, however, that in taking advantage of or accepting any aid extended by the Federal Government, the Board and/or Council shall not incur any indebtedness which would necessitate a supplemental or additional appropriation out of the General Revenue Fund of this State; and provided further, that in taking advantage of and accepting any aid extended by the Federal Government the Board and/or Council shall not deplete any of the funds herein appropriated to the several institutions to an amount which would necessitate a supplemental or additional appropriation out of the General Revenue Fund of this State to replenish said fund or funds. Any funds received by the Board and/or Council from the United States Government are hereby appropriated to the purposes for which the grant was made.

(b) The Board and/or Council is hereby authorized to negotiate purchases of commodities and supplies of any kind or character whatsoever with the duly authorized agencies of the Federal Government; provided, however, that such item, or items, so purchased will be obtained at a price not to exceed the prevailing market value thereof, and if there be no value, then at the real or intrinsic value; and it is further provided that the State Board of Control is authorized to waive the requirements of bidder's bond and performance bonds otherwise required, in dealing with the duly authorized representatives of the Federal Government.

Sec. 16. Alabama and Coushatti Indians: (a) The expenditure of all money herein appropriated for the welfare of the Alabama and Coushatti Indians in Polk County, and all employees therefor, shall be under the supervision and appointment of the Board.

(b) The Board is hereby authorized to accept gift deeds, approved as to form by the Attorney General, for land adjoining or near the Ala-

bama and Coushatti Indian Lands in Polk County, Texas, in which conveyances the owner or owners may desire to retain timber rights for not more than twelve (12) years and to retain oil and mineral rights permanently. The Board is also authorized to co-operate with the Federal Government on any Federal projects for improving the educational and economic condition of said Indians.

Sec. 17. Transfer of Appropriations: (a) The Superintendent of any institution, under the direction and upon the written approval of the Board and/or Council, shall be authorized to make such changes and substitutions of any amounts appropriated for maintenance, miscellaneous items, general repairs and improvements, excepting new buildings, as may be found necessary.

(b) The Board and/or Council is hereby authorized to transfer any money in any funds appropriated, of any institution to any other institution where such transferred fund, or funds, are not needed in the institution from which either or all of said fund, or funds, may be transferred. The State Comptroller of Public Accounts is hereby directed to make transfer of the fund, or funds, from either or all of the aforesaid accounts from one institution to another, upon written request therefor, by the Board and/or Council. It is further provided that any funds transferred under the provisions of this subsection may be used for any of the purposes set out in Section 17(c) of this Act, subject to approval of the Legislative Budget Committee.

(c) There is hereby appropriated to the Board and/or Council any unexpended balance in any fund or item appropriated to any institution remaining at the end of the fiscal year ending August 31, 1951. Subject to the prior written approval of the Legislative Budget Committee these unexpended balances may be expended for the following purposes:

1. For the repairing, remodeling and/or renovating of any hospital, ward building, dormitory, or any other building at any institution;

2. For the replacement and installation of any plumbing fixtures, electrical wiring and fixtures, heating installations, and any like equipment at any institution;

3. For construction of any new buildings, or building, and purchase of equipment and furniture necessary to place same in use at any institution, or at any other desirable site, where sufficient lands can be obtained without cost to the State;

4. For the support and maintenance and for operation and use of any institution which shall include the employment of sufficient personnel to operate and maintain said institution. Salaries and emoluments of said employees shall not exceed those paid and granted in similar institutions for similar work;

5. For the purpose of converting to State service, any other facilities in the State of Texas which may be acquired by the Board and/or Council. This is to include the cost of any repairs or improvements, negotiations and organizational expenses, on the part of the Board and/or Council, necessary for the conversion of said facilities, the cost of support, operation and maintenance thereof, and the cost of employing sufficient personnel in connection therewith. Salaries and emoluments of such employees are not to exceed those paid and granted in similar institutions for the same or similar work.

Sec. 18. None of the moneys herein appropriated or any of the local or auxiliary funds of any institution, governed by the Board for Texas State Hospitals and Special Schools, shall be spent for any remodeling or construction at the Inks Lake Branch of the Austin State School.

Sec. 19. Skilled Positions: (a) To properly maintain essential services when qualified full-time employees are appropriated for but cannot

be obtained, the Board and/or Council is hereby authorized to use part-time employees temporarily in skilled positions.

(b) When expert consultants are needed they may be paid from appropriated salary items for physicians and/or psychiatrists.

(c) Thoracic and other surgeons may be paid on a fee basis or full-time from appropriated salary items.

Sec. 20. Emoluments of Board Employees: In recognition of salaries paid within institutions and in order to attract and retain qualified supervisory personnel on the staff of the Board, the Board is hereby authorized to allow emoluments to such employees out of the funds and facilities of one or more of the institutions in Travis County; provided, however, that prior to granting or allowing such emoluments to any medical or supervisory personnel, which will require new or additional remodeling or construction, approval must be obtained in writing from the Legislative Budget Committee. A copy of such approval, when obtained, shall be filed with the Comptroller of Public Accounts and no expenditure of any funds herein appropriated or any local funds shall be made without such prior approval.

Sec. 21. Schools: (a) In order to maintain scholastic standards comparable to the public school in the area where the State institution is located, and in order that the children of the institutions may have equal advantages in the quality of teaching as do the children of public schools, the Board and/or Council is hereby authorized to pay teachers from the appropriated funds of this bill on a basis equal to that being paid in the city schools in or near where the particular institution is located. This rate of compensation shall include such rules and regulations on length of teaching service, educational accomplishments, as apply in the local public school system. Where the State Department of Education makes provisions for increased salaries anywhere in the State to teachers in the fields of special education, the Board and/or Council may authorize payment of the same rates to the teachers of special education students in the schools named herein. If the appropriation for teachers is not sufficient, the Board and/or Council may use any other funds under its jurisdiction.

(b) Inasmuch as the schools named herein operate on 9, 10, 11, and 12 months basis, the above provisions shall apply to the nine or ten-month term, based on local school regulations. The Board and/or Council shall exercise its authority and best judgment in the operation of the summer schools.

(c) If the teacher takes advantage of any of the emoluments or services of the institution such as room, board, or laundry, such services will be charged for (or deducted from the salary). The rates for such emoluments shall be fair and based on costs established by the accountant of the institution, subject to the approval of the Superintendent and the Board and/or Council.

(d) The Superintendent of the affected institution shall determine, with the approval of the Board and/or Council, whether the principal of the school shall be required to live on the grounds of said institution.

Sec. 22. Deportation of Aliens: The cost of deportation of any alien may be paid by the institution from any appropriated non-salary item; and the cost of transportation expenses for the return of non-resident students in any of the State Schools may be paid by the school out of any appropriated non-salary item; provided however, no traveling expenses shall be incurred by any employee of any of the State Hospitals, Special Schools or other institutions named in this Act, outside of the boundaries of the State of Texas, except for State business and no such expenses shall be paid from State appropriations or out of any local or auxiliary



funds by the State Comptroller or by any institution included herein to an employee of any State Hospital, Special School or other institution named herein until and unless a written statement, prepared in duplicate, approved and signed by the Attorney General, stating the purpose of the proposed trip to be for the purpose set out in Section 22 of this Act; one of which written statements shall have been filed with the disbursing officer of such State Hospital, Special School or other institution included in this Act and one copy with the State Comptroller.

Sec. 23. Boys and/or Girls State: The Board is authorized to allow the organization known as Boys and/or Girls State the use of the facilities of the physical plant of any school for which appropriations are made in this Act. Provided, however, that no State funds may be used in the operation of said school while Boys and/or Girls State is in session, and further provided that said session shall not interfere with the regular operation of the school.

Sec. 24. Fat Stock Shows: Students at any school for which appropriations are made in this Act may raise livestock for the purpose of entering said livestock in livestock exhibitions; provided, however, that the State shall be reimbursed for the cost of raising said livestock upon the sale thereof.

Sec. 25. Kerrville State Sanatorium. Should the Board use the properties located at Kerrville, which formerly was known as the State Tuberculosis Sanatorium for Negroes, for any other purpose, then any of the funds appropriated herein, including local funds, may be transferred to said institution for salaries, bond premiums, support and maintenance, and other necessary expenses.

Sec. 26. Quarterly Budgets. The Legislative Budget Committee is hereby authorized to require quarterly budget approval prior to the expenditure of any of the funds appropriated to the institutions in this Act. Such requirement when exercised shall be made by filing written notice with the State Comptroller and written direction with the institution and the Board and/or Council. After such notice, no moneys herein appropriated shall be expended until such budget approval shall have been secured.

Sec. 27. The Youth Development Council is hereby authorized and directed to transfer and move the State School for Delinquent Colored Girls, now situated at Brady, Texas, to a suitable and appropriate location to be selected by the Youth Development Council in the area of the State lying east of U. S. Highway No. 81, extending from Ringgold, Texas, to Laredo, Texas. Such transfer and move hereby directed shall be effected on or before January 1, 1951.

Upon the removal of the State School for Delinquent Colored Girls all moneys herein appropriated to said School shall become available for use as set out herein at any new location. Should the Youth Development Council fail or refuse to move said school by January 1, 1951, the moneys herein appropriated for the State School for Delinquent Colored Girls shall revert to the State Treasury.

The Youth Development Council is hereby authorized and directed to accept any gifts and/or grants of land and/or buildings from any other existing State institution or agency and/or private donations to effect the re-location of said school.

For the purpose of re-locating the State School for Delinquent Colored Girls, there is hereby appropriated out of the State Hospital Fund in the State Treasury, not otherwise appropriated, the sum of Two Hundred and Twenty-Five Thousand Dollars (\$225,000) for the remainder of the biennium ending August 31, 1951, for remodeling, construction, equipment and any other necessary expenses to effect such re-location. Pro-

vided, however, that prior to the expenditure of such funds approval must be obtained in writing from the Legislative Budget Committee. A copy of such approval, when obtained, shall be filed with the Comptroller of Public Accounts and no expenditure of these funds shall be made without such prior approval.

Upon the completion of such transfer and removal, the premises and buildings now occupied by and used in connection with such State School for Delinquent Colored Girls shall be placed in the control and custody of the Board for Texas State Hospitals and Special Schools for such use as the said Board shall determine.

Sec. 28. It is further provided that architects fees paid from the moneys herein appropriated for institutions governed by the Youth Development Council, shall be approved by the Legislative Budget Committee prior to the execution of any contracts for the employment of architects.

Sec. 29. If any section, sentence, clause, or part of this Act shall be held invalid by any Court of competent jurisdiction, such holding shall not alter, change, or affect the remaining portions hereof, and it is hereby declared to be the intention of the Legislature to enact this said Act, and each sentence, clause, or part hereof independently and irrespectively of the invalidity of any part as declared unconstitutional or invalid.

Sec. 30. Emergency Clause. The fact that no appropriations exist for the fiscal year ending August 31, 1951 to provide for the salaries, support, maintenance, and operation of the Texas State Hospitals and Special Schools, and the fact that the continued maintenance and operation of said State Hospitals and Special Schools after August 31, 1950 depends on these appropriations being available, create an emergency and an imperative public necessity, that the Constitutional Rule requiring bills to be read on three several days in each House be, and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Passed the House, February 10, 1950: Yeas 116, Nays 3; House refused to concur in Senate amendments, February 15, 1950, and requested appointment of Conference Committee to consider differences between the two Houses; House adopted Conference Committee Report, February 23, 1950: Yeas 136, Nays 1; passed the Senate, with amendments, February 15, 1950: Yeas 26, Nays 0; at request of House, Senate appointed Conference Committee to consider differences between the two Houses; Senate adopted Conference Committee Report, February 23, 1950: Yeas 31, Nays 0.

Approved March 13, 1950.

Effective March 13, 1950.